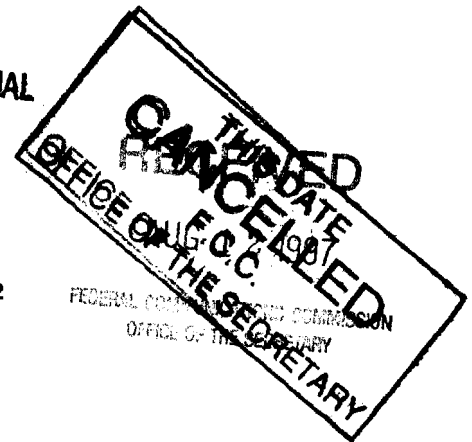


SUSQUEHANNA RADIO CORP.

DOCKET FILE COPY ORIGINAL

Charles T. Morgan
Senior Vice President

140 East Market Street
Box 1432
York, Pennsylvania 17405-1432
(717) 852-2132
(717) 771-1436 FAX




August 7, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RE: Docket No. 97-138

Please accept the enclosed original and nine copies of comments for consideration in MM Docket No. 97-138, Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast television and radio stations.

Sincerely,



Charles T. Morgan

CTM/mek

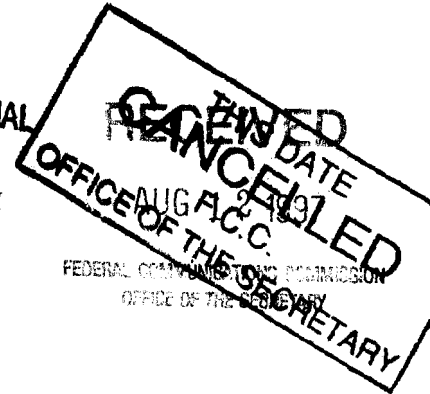
enclosures

No. of Copies rec'd
List ABCDE

029

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554



In the Matter of

Review of the Commission's Rules
regarding the main studio and
local public inspection files of
broadcast television and radio stations)

47 C.F.R. §§ 73.1125,
73.3526 and 73.3527)

)
)
) MM Docket No. 97-138
RM-8856
RM-8857
RM-8858
) RM-8872

TO: The Commission

COMMENTS OF SUSQUEHANNA RADIO CORP.

These comments are filed in response to the Notice of Proposed Rule Making concerning the main studio and local public inspection file of broadcast stations released May 28, 1997, in this Docket.

Susquehanna Radio Corp. is a privately held company that has a history of more than 55 years as a radio broadcasting licensee. It began as the operator of a single AM facility and today owns or operates six AM or fifteen FM stations. Susquehanna applauds the Commission's efforts to update these rules to reflect the needs of both the public and the broadcaster in today's regulatory environment and marketplace.

Main Studio Location

Susquehanna agrees with the Commission's belief that a review of its main studio rule is warranted at this time. Not only have the commission's rules governing multiple ownership of stations changed, but, the marketplace has changed dramatically since these rules were originally

adopted. With the implementation of Docket 80-90, the number of stations in each market has increased substantially and many new low power stations are now licensed to smaller communities that are closely tied to a larger community. These communities have grown together geographically, economically, culturally, and their separate identity is often obscured. Today, the public interest requirements of these smaller communities are, in many respects, very closely tied to the larger community.

Nevertheless, it is still important for a station not only, to serve the public interest of its community of license, but also to serve the public interest of all its listeners, regardless of the geographic boundaries of the communities within which they live.

Susquehanna believes that a station should be allowed greater flexibility in selecting the site of its main studio while, at the same time, remaining reasonably accessible to its community of license. We also believe that any new rules adopted for the main studio location should be specific and clear to insure that both the licensee and the Commission have the same understanding of where these studios may be located.

Utilizing automobile commuting time as a determinant introduces too many variables and will, undoubtedly, result in confusion concerning the proper location of the main studio.

Requiring the main studio to be located within the City Grade contour of any station licensed to the same community of license also could be confusing and unfair. The original Table of Allotments for FM stations allocated Class B and C stations to larger communities and Class A stations to smaller communities. More recently, the commission has changed this policy and allocated Class A stations to communities that had either Class B or Class C licensed stations.

For example, Augusta, GA has two Class C and two Class A licensed FM facilities. The City Grade Contour of one of the Class C stations, WZNY, is approximately 33 miles and therefore both the Class C stations and the Class A stations licensed to Augusta would have the same area within which to locate their main studio; a 33 miles radius. WSLT is the only FM facility

licensed to Clearwater, SC, a smaller community near Augusta. WSLT's transmitter location is less than 4 miles from WZNY, but, due to the fact that it is licensed to a separate community it would be allowed to locate its main studio in an area of less than a ten miles radius. This would be unfair to WSLT which operates in the same marketplace as the Augusta stations.

Setting a specific mileage radius from the reference coordinates of the community of license, although very definitive, has its shortcomings. For example; a 35 to 50 mile distance may be reasonable for the city of Los Angeles or stations with dual city licenses, such as Fort Worth / Dallas, but would be inappropriate for communities such as Forsyth, MT.

Section 73.3555 (a)(4)(ii) of the Commission's rules has defined a radio market for the purpose of determining the number of stations allowed under its multiple ownership rules. With few exceptions, this rule provides a reasonable representation of the total marketing area of a station both large and small. For larger markets, it provides a relatively large area for the location of a main studio, yet it does not allow the relocation to an area at so great a distance that it would be in no way associated with the community of license. In smaller markets or in markets with fewer stations, the area to locate would be less but generally would be in proportional to the size of the market.

Utilizing this market definition approach would allow stations great flexibility in the location of their main studio. Stations licensed to smaller communities would be allowed to locate their studios in larger nearby communities and stations licensed to larger cities would be allowed to locate in the suburbs that surround their city of license. In each case, the main studio would be located within the market and close to the listeners it serves.

This approach would allow stations under common ownership to co-locate their operations within the Commission-defined market. In a number of markets, there presently exist sections of the business communities that have attracted a number of broadcast offices and studios as well as the related advertising agencies that deal with radio and television stations. This market approach

will allow the smaller stations licensed to suburban communities to relocate, if they so desire, to these areas of media concentration in order to enhance their business opportunities.

Susquehanna urges the Commission to adopt the definition of a radio market utilized in Section 73.3555 (a)(4)(ii) of its rules as its criteria for location of the main studio for any licensee of a station located within that market. Susquehanna believes that extending this existing definition within the Commission's rules to define the area in which to locate the main studio would be easy for the commission to administer, provide reasonable flexibility to the stations, provide accessibility to the public and best serve the public interest.

Location of the Public Inspection File

Susquehanna agrees with the Commission's proposal to allow the public file to be located at the station's main studio, even if the main studio is outside the stations community of license. It is Susquehanna's experience, that locating the Public File at the main studio is the best way to insure that this file is current and complete. Members of the public who desire to check a station's Public File often have a desire to check the Public File of all commonly owned stations; having all the Public Files located at the main studio would make them more accessible to the public, rather than having these files located at various points within separate communities of license. The main studio is the most logical place for a member of the public to expect to find the Public File. Locating it at a point within the community of license that is not the main studio would make it less accessible if the person desiring to inspect it were to travel to the main studio only to learn that it was located somewhere else.

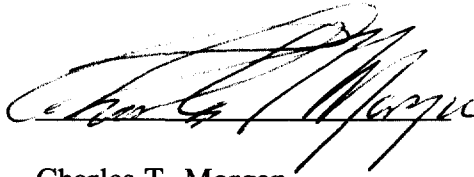
Public Inspection File Contents

Susquehanna agrees with the proposal raised by Tillotson, that the public has no interest in the ownership, programming or EEO practices of a stations previous licensee, and therefore, a new licensee should not bear the burden of reconstructing the prior licensee's Public Inspection File. Insuring the complete transfer of all files concerning the former licensee's past performance is

sometimes difficult. We do agree that all pertinent material in this file that relates to the station's present and future operation should be retained.

Respectfully submitted,

SUSQUEHANNA RADIO CORP.

A handwritten signature in black ink, appearing to read "Charles T. Morgan", written over a horizontal line.

Charles T. Morgan
Senior Vice President

SUSQUEHANNA RADIO CORP.
140 E. Market Street
York, PA 17401
(717) 852-2126

August 6, 1997